

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DOMINIC SCOTT,

Plaintiff,

Case No. 2:08-CV-271

v.

HON. GORDON J. QUIST

F. SEBALY,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on Petitioner on February 10, 2010. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(c). Therefore, the Court will adopt the Report and Recommendation. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation (Docket #52) is approved and adopted in part as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment (Docket #35) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant's motion to dismiss (Docket #22) and Plaintiff's motion to compel discovery (Docket #20) are **DISMISSED AS MOOT** because summary judgment has been entered.

Dated: March 12, 2010

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE